

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-NINTH LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 26, 2007

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Bair, Bastian, Bilyeu, Broadsword, Cameron, Fulcher, Gannon, Hammond, Keough, Malepeai, Richardson, and Werk, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Branden Huckstep, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 23, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 114 BY JUDICIARY AND RULES COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REJECTING A CERTAIN RULE OF THE INDUSTRIAL
COMMISSION PERTAINING TO MISCELLANEOUS
PROVISIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Industrial Commission Rule pertaining to Miscellaneous Provisions is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and House of Representatives concurring therein, that, effective March 15, 2007, IDAPA 17.02.08, Miscellaneous Provisions, Section 031, relating to Acceptable Charges for Medical Services Under the Idaho Workers' Compensation Law, Subsection 02.b, only, Rules of the Industrial Commission, as adopted as a pending rule under Docket Number 17-0208-0602, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 115 BY JUDICIARY AND RULES COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REJECTING CERTAIN RULES OF THE DEPARTMENT OF
COMMERCE AND LABOR RELATING TO
UNEMPLOYMENT INSURANCE TAX ADMINISTRATION
RULES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Commerce and Labor pertaining to Unemployment Insurance Tax Administration Rules are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 09.01.35, Unemployment Insurance Tax Administration Rules, Section 112, relating to Determining Status of Worker, Subsections 03.b, 03.c, 03.d and 03.e, only, Rules of the Department of Commerce and Labor, as adopted as pending rules under Docket Number 09-0135-0601, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 116 BY JUDICIARY AND RULES COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REJECTING A CERTAIN RULE OF THE DIVISION OF
HUMAN RESOURCES AND PERSONNEL COMMISSION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Division of Human Resources and Personnel Commission is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 15.04.01, Section 072, relating to Operation of Compensation Plan, Subsection 05.b only, Rules of the Division of Human Resources and Personnel Commission, as previously adopted as a final rule under Docket Number 15-0401-0301, and renumbered as IDAPA 15.04.01.072.06.b in Docket Number 15-0401-0601, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 114, SCR 115, and SCR 116 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Gannon was recorded present at this order of business.

February 23, 2007

The JUDICIARY AND RULES Committee reports that **S 1051** and **S 1062** have been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1051** and **S 1062**, and ordered them transmitted to the House for the signature of the Speaker.

February 23, 2007

The JUDICIARY AND RULES Committee reports that Enrolled **S 1010** and **S 1011** were delivered to the Office of the Governor at 1:50 p.m. on February 23, 2007.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 23, 2007

The STATE AFFAIRS Committee reports out **S 1053** and **S 1095** with the recommendation that they do pass.

McKENZIE, Chairman

S 1053 and **S 1095** were filed for second reading.

February 23, 2007

The JUDICIARY AND RULES Committee reports out **S 1142, S 1149, and S 1164** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1142, S 1149, and S 1164 were filed for second reading.

February 26, 2007

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1121** with the recommendation that it do pass.

HILL, Chairman

S 1121 was filed for second reading.

February 26, 2007

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 81** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HILL, Chairman

There being no objection, **H 81** was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2007

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Kermit Kiebert to the Board of Environmental Quality, term to expire July 1, 2010;

Donald J. Chisholm, to the Board of Environmental Quality, term to expire July 1, 2010;

Ford Elsaesser to the Lake Pend Oreille Basin Commission, term to expire July 24, 2009.

SCHROEDER, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2007

The RESOURCES AND ENVIRONMENT Committee reports out **S 1128** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1128** was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2007

The RESOURCES AND ENVIRONMENT Committee reports out **SJM 103** and **H 26** with the recommendation that they do pass.

SCHROEDER, Chairman

SJM 103 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

H 26 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 23, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1017, as amended, and **S 1071**

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

February 23, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1010 and **S 1011**

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

January 9, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Bradley T. Foltman of Boise, Idaho, was appointed as Administrator of the Division of Financial Management to serve a term commencing January 2, 2007, and expiring at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

Senators Bair, Bastian, Broadsword, Fulcher, Hammond, Keough, and Richardson were recorded present at this order of business.

February 23, 2007

Mr. President:

I transmit herewith **H 184**, as amended, **H 135**, **H 176**, and **H 121** which have passed the House.

JUKER, Chief Clerk

H 184, as amended, **H 135**, **H 176**, and **H 121** were filed for first reading.

February 23, 2007

Mr. President:

I transmit herewith Enrolled **HCR 9** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 9** and ordered it returned to the House.

February 23, 2007

Mr. President:

I return herewith Enrolled **SCR 102** and **SCR 103** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **SCR 102** and **SCR 103** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of the State.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

Senators Bilyeu, Cameron, Malepeai, and Werk were recorded present at this order of business.

**S 1172
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ENGLISH AS IDAHO'S OFFICIAL LANGUAGE; AMENDING SECTION 73-121, IDAHO CODE, TO DECLARE ENGLISH TO BE THE OFFICIAL STATE LANGUAGE, TO PROVIDE THAT ENGLISH IS THE SOLE LANGUAGE OF GOVERNMENT SUBJECT TO EXCEPTIONS, TO PROVIDE THAT SPECIFIED ACTIONS SHALL BE IN ENGLISH SUBJECT TO EXCEPTIONS, TO STATE EXCEPTIONS, TO PROVIDE FOR THE RETURN OF SPECIFIED FUNDS TO THE STATE GENERAL FUND, TO PROVIDE DUTIES OF STATE AGENCIES, TO PROVIDE DUTIES OF THE STATE CONTROLLER, TO PROVIDE THE STATE BOARD OF EDUCATION RULEMAKING AUTHORITY GOVERNING THE USE OF FOREIGN LANGUAGES IN THE PUBLIC SCHOOLS, TO PROVIDE FOR RECOGNITION OF SPECIFIED CONSTITUTIONAL RIGHTS; AND TO PROVIDE FOR SEVERABILITY.

**S 1173
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO PUBLIC FUNDS; AMENDING SECTION 57-717, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 57-720, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO PROVIDE FOR THE INVESTMENT OF OTHER MONEYS IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS OF INVESTMENT MAY BE DEDUCTED FROM INVESTMENT PROCEEDS, TO REFERENCE FUNDS INVESTED BY THE INVESTMENT BOARD, TO PROVIDE FOR CERTAIN AUDIT EXPENSES TO BE PAID FROM EARNINGS RESERVE FUNDS, TO REFERENCE ENDOWMENT FUNDS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 57-721, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO REFERENCE FUNDS INVESTED BY THE INVESTMENT BOARD, TO PROVIDE FOR THE APPOINTMENT OF A CUSTODIAN FOR FUND ASSETS AND TO MAKE TECHNICAL CHANGES; AND DECLARING AN EMERGENCY.

**S 1174
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND; AMENDING SECTION 33-1009, IDAHO CODE, TO SPECIFY THAT THE FIRST TWO PAYMENTS MADE TO THE DISTRICTS SHALL EACH BE APPROXIMATELY THIRTY PERCENT OF THE TOTAL GENERAL ACCOUNT APPROPRIATION TO THE DISTRICT FOR THE FISCAL YEAR, THE THIRD PAYMENT SHALL BE APPROXIMATELY TWENTY PERCENT OF THE TOTAL FISCAL YEAR APPROPRIATION AND THE FOURTH AND FIFTH PAYMENTS SHALL EACH BE APPROXIMATELY TEN PERCENT OF THE TOTAL FISCAL YEAR APPROPRIATION AND TO MAKE A TECHNICAL CORRECTION.

**S 1175
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO THE BOARD OF HEALTH AND WELFARE; AMENDING SECTION 56-1005, IDAHO CODE, TO REVISE THE COMPENSATION OF THE MEMBERS OF THE BOARD OF HEALTH AND WELFARE.

**S 1176
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE STATE HOSPITAL SOUTH PROGRAM FOR FISCAL YEAR 2007; AND DECLARING AN EMERGENCY.

**S 1177
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES IN THE EMERGENCY MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2007; AND DECLARING AN EMERGENCY.

S 1172, S 1173, S 1174, S 1175, S 1176, and S 1177 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 184, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 135, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 176, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 121, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1135 and **S 1118** by Transportation Committee, were read the second time at length and filed for third reading.

S 1107, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1167 and **S 1168**, by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1082, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Fulcher arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bair, Bastian, Bilyeu, Cameron, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Siddoway. Total - 23.

NAYS--Andreason, Broadsword, Burkett, Coiner, Kelly, Keough, Langhorst, Malepeai, Schroeder, Stegner, Stennett, Werk. Total - 12.

Total - 35.

Whereupon the President Pro Tempore declared **S 1082**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1098 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **S 1098** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Gannon, granted by unanimous consent, **S 1079**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

S 1143 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **S 1143** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out **H 32, S 1030, H 20, H 71, S 1123, and S 1089**, without recommendation, amended as follows:

SENATE AMENDMENTS TO H 32

AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 31 through 40 and insert:

"67-8910. MANAGEMENT AND OPERATION OF FACILITIES. The authority shall cause any facilities undertaken by it to be managed and operated on its behalf by one (1) or more qualified participating utilities, or if no participating utility is qualified, willing or able to manage and operate such facility, by the authority or by an agent so designated by the authority capable and skilled in the management and operation of such a facility. The authority shall enter into joint operating arrangements with participating utilities, designated agents of the authority or others and may enter into any and all contractual arrangements determined by the authority to promote the effective and efficient management and operation of its facilities. The authority shall not commence the management or operation for any facility until it shall have entered into contractual arrangements with one (1) or more participating utilities that contain provisions acceptable to both the authority and the participating utility or utilities and which are determined by the authority to provide adequate assurance that all management, operating, maintenance and related costs of the facility will be paid by or provided for by one (1) or more participating utilities.".

CORRECTION TO TITLE

On page 1, delete lines 4 through 6 and insert: "67-8910, IDAHO CODE, TO PROVIDE CONDITIONS WHEN THE AUTHORITY OR AN AGENT MAY OPERATE A FACILITY AND TO PROVIDE PROVISIONS FOR A CONTRACT; AMENDING SECTION 67-8922,".

AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 40, insert: "SECTION 3. That Section 67-8921, Idaho Code, be, and the same is hereby amended to read as follows:

67-8921. ANNUAL REPORT. The authority shall submit to the governor and to the legislature within ninety (90) days after the end of its fiscal year a complete and detailed report setting forth:

- (1) Its operations and accomplishments;
- (2) An accounting of its receipts and expenditures during such fiscal year in accordance with the categories or classifications established by the authority for its operating and capital outlay purposes;
- (3) Its assets and liabilities at the end of its fiscal year, including the status of reserve, special or other funds; ~~and~~
- (4) A schedule of its bonds outstanding at the end of its fiscal year, together with a statement of the amounts redeemed and incurred during such fiscal year; and
- (5) Any new or additional facility management and operation activities."

Also on page 2, in line 41, delete "SECTION 3" and insert: "SECTION 4"; and on page 3, in line 17, delete "SECTION 4" and insert: "SECTION 5".

CORRECTION TO TITLE

On page 1, in line 6, following "UTILITIES;" insert: "AMENDING SECTION 67-8921, IDAHO CODE, TO PROVIDE THAT THE AUTHORITY'S ANNUAL REPORT SHALL BE SUBMITTED TO THE LEGISLATURE, AND SHALL CONTAIN ANY NEW OR ADDITIONAL FACILITY MANAGEMENT AND OPERATION ACTIVITIES;"

SENATE AMENDMENT TO S 1030

AMENDMENT TO SECTION 1

On page 4 of the printed bill, in line 9, delete "Records" and insert: "For policies that are owned by private persons, and not by a public agency of the state of Idaho, records".

CORRECTION TO TITLE

On page 1, delete lines 3 through 6 and insert: "THAT CERTAIN RECORDS RELATING TO POLICIES, ENDORSEMENTS AND AFFIDAVITS FILED WITH OR BY A SURPLUS LINE ASSOCIATION SHALL BE EXEMPT FROM DISCLOSURE."

SENATE AMENDMENT TO H 20

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 20 and insert: "provider who is paid for providing supervised access services shall, prior to acting in such capacity and at his or her own cost,".

CORRECTION TO TITLE

On page 1, in line 6, following "HISTORY CHECKS" insert: "FOR CERTAIN PROVIDERS".

SENATE AMENDMENT TO H 71

AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 16 through 23 and insert:

"(d) The sale or purchase of a glider kit ~~as defined in section 49-123, Idaho Code~~, when the glider kit will be used to assemble a glider kit vehicle as defined in section 49-123, Idaho Code, which will be immediately registered under a plan defined in subsection (c) of this section, provided that if the glider kit vehicle is not substantially used in interstate commerce as defined in subsection (c) of this section during any registration period, it shall be subject to the use tax under section 63-3621, Idaho Code."

SENATE AMENDMENT TO S 1123

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 5, delete "in the performance of his or her" and in line 6, delete "duties" and insert: "by a second party, or in the performance of his or her duties when responding to a call, or when in the pursuit of an actual or suspected violator of the law, or during the discharge or attempted discharge of his or her duties during an active investigation or community caretaking function, or while taking part in training of a physical nature sanctioned by his or her employer,"; and in line 10, delete "Disputes" and insert: "Determinations and any disputes".

SENATE AMENDMENT TO S 1089

AMENDMENTS TO BILL

On page 2, delete lines 46 through 53; delete page 3; on page 4, delete lines 1 through 41; and in line 42, delete "SECTION 4" and insert: "SECTION 2".

On page 5, in line 36, delete "SECTION 5" and insert: "SECTION 3"; and delete lines 41 through 46, and insert:

"SECTION 4. An emergency existing therefor, which emergency is hereby declared to exist, the provisions of this act shall be in full force and effect on and after passage and approval."

CORRECTIONS TO TITLE

On page 1, in line 6, following "CORRECTIONS;" delete the remainder of the line; delete lines 7 through 11; in line 12, delete "ELECTION PROCEDURE FOR DISSOLUTION OF A COMMUNITY COLLEGE DISTRICT,"; in line 16, delete "DECLARING AN EMERGENCY AND PROVID-"; in line 17, delete "ING RETROACTIVE APPLICATION FOR SECTION 2 OF THIS ACT,"; and in line 18, delete "FOR SECTIONS 1 AND 4 OF THIS ACT".

The Committee also has **S 1126, S 1088, H 79, H 81, S 1128, and S 1079**, as amended, under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Langhorst, the report was adopted by voice vote.

S 1030, as amended, **S 1123**, as amended, and **S 1089**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 32, as amended in the Senate, **H 20**, as amended in the Senate, and **H 71**, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 11 a.m., Tuesday, February 27, 2007.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary